



TEAMSTERS

Northern California

Serving more than 70,000 Teamsters and their families

Volume 49, Number 2



June/July/August 2004

Teamsters host huge labor rally for Kerry

Democratic Presidential contender John Kerry held a campaign rally at Local 70 in late February on his way to the Democratic nomination.

More than 1,200 people jammed Teamsters Local 70's auditorium with another 1,000 standing outside to hear Kerry take on George Bush and his administration for being insensitive to



Senator Dianne Feinstein and Insurance Commissioner John Garamendi join Kerry at Teamster rally.

U.S. workers and failing to provide leadership in healthcare, social security and foreign affairs.

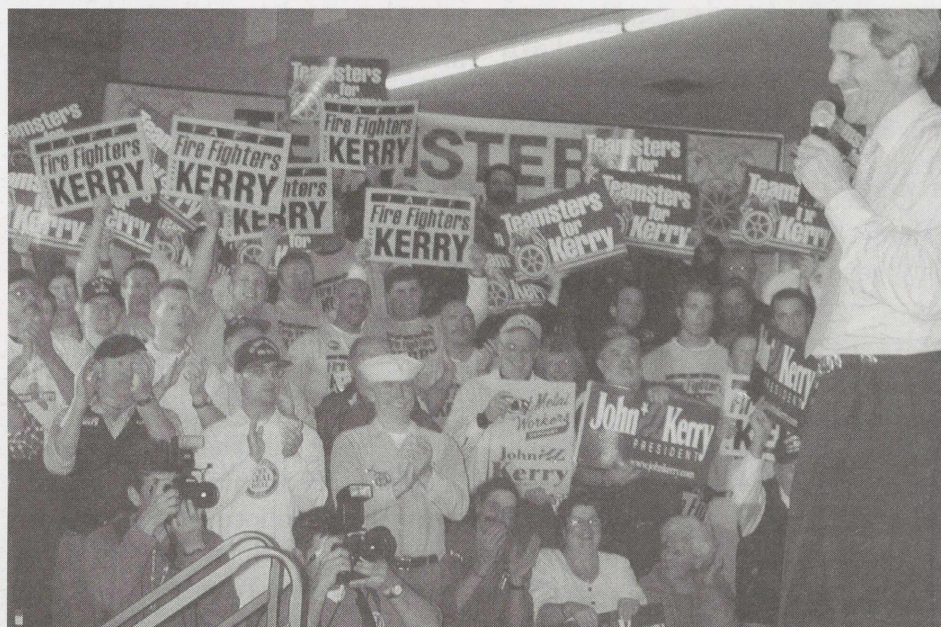
Joint Council 7 President Chuck Mack told the crowd, "This evening we've got something in Oakland that George Bush and all of his minions, money and power in Washington don't—we have the next President of the United States. John Kerry is a man who legitimately represents the interests of working people."

The AFL-CIO formally endorsed Kerry as labor's candidate in mid-February, a week after the Teamsters made their endorsement.

The Oakland rally had a strong labor presence. California Federation of Labor Executive Secretary-Treasurer Art Pulaski and President Tom Rankin, Alameda County Central Labor Council's Judy Goff and a host of AFL-CIO affiliates joined the Teamsters in rallying for Kerry.

Labor wasn't alone. The faith-based community, environmentalists, anti-war activists and party regulars also attended.

By April, with seven months until



More than 2,000 Teamsters, Firefighters and other union members came to Local 70 on February 27 to back John Kerry's campaign to beat George Bush in November.

the election, the campaigns of both John Kerry and George Bush appear to be in full swing. Kerry has visited California several times since February and has raised millions of dollars to deliver his message. Bush is very busy on both radio and TV attacking Kerry and attempting to distort his record.

Negative campaigning has a tendency to turn people off to the electoral process. Labor can't afford to let that happen.

"We need to focus on the issues and elect a pro-worker candidate," Mack added. "That candidate is John Kerry."

Cost was high for union grocery workers; strike cost chain stores about \$2 billion

So Cal grocery strike raises questions about future of health coverage

The Southern California grocery strike raises serious issues for all working people and for Teamsters across Northern California whose grocery contracts come due next year.

Seventy thousand Southern California grocery workers held fast to their strike for close to five months. Many lost homes, cars and more in a remarkable effort to maintain health benefits, not only for themselves, but for future generations of retail workers.

In their new agreement, the returning strikers will eventually pay some money for health insurance, although not the drastic payments the stores originally demanded. But for those hired from now on, health care will be just a dream. Safeway, Albertsons and Krogers will contribute just \$1.10/hour for their health benefits, compared to \$3.80 for the existing workforce.

In just a few years, those lower-tier workers will be the majority. Most will be unable to pay for benefits, joining the 48 million Americans who have no healthcare. But these new additions will be union workers, in jobs that for generations supported a middle-class standard of living.

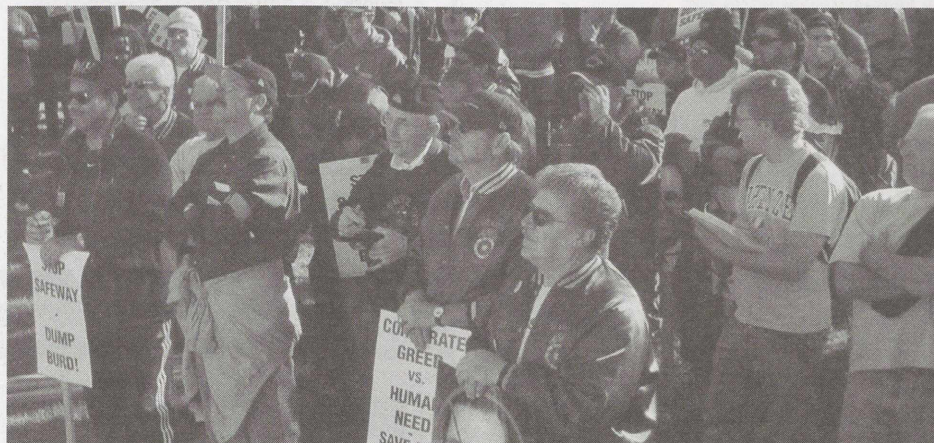
"These workers sent a message to employers everywhere that attempts to eliminate health care benefits will come at a high price," said Joint Council 7 President Chuck Mack.

In fact, Safeway, Albertsons and Krogers lost an estimated \$2 billion as a result of the strike. The grocery

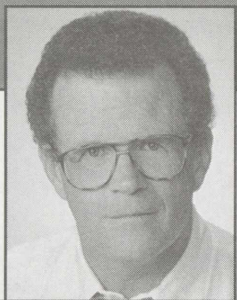
chains calculated that the loss was worthwhile because competitor Wal-Mart, with expansion plans throughout the state, has no unions, pays low wages, and contributes little towards its workers' healthcare.

Californians took a step last year towards solving this problem when the legislature passed SB-2. Under this landmark law, employers with 50 or more employees, including Wal-Mart and McDonalds, will have to provide healthcare coverage for their employees. These same companies are supporting an initiative to recall SB-2 that will appear on this November's ballot.

If the initiative wins, strikes like the one in Southern California will become more frequent and bitter. Employers will demand benefit cuts in order to compete, and workers will either have to give up healthcare or fight.



Northern Calif. Teamsters at Oakland grocery strike support rally on January 31.



President's Report

by
Chuck Mack

Our nation at the crossroads

We've seen tough times recently. However, while today's economy gives us much to be concerned about, there are some positives. These reflect the strength that we have in the labor movement and particularly in the Teamsters Union.

Collective bargaining has not only gone on but the contracts we've negotiated nationally at UPS, freight, car haul and at Anheuser Busch have all contained significant improvements in language and economics, and our grievance procedure in those contracts is as strong as ever. While others have lost health care, we've maintained strong benefit levels for our members and their families—most often with no or little cost to the members.

On balance, we've done well in a very difficult environment but the reality is that we've got to do better. We need to go from defense to offense, from being reactive to proactive. There are some efforts under way to get that done.

First organizing. Joint Councils 7 and 38 freight locals met this past month with the IBT Organizing Department to get updated on the campaign at Bestway, Dugan subsidiaries of US Freight. The program's creative. It's aimed at one of our core industries and it's challenging rank and file Teamster members to get involved. It's aggressive and militant and complements other IBT drives at CINTAS, in food processing and waste disposal.

Second is the meeting of Teamsters' health and welfare and pension trusts held this past March. More than 100 trust funds from across the country were represented.

This is a first. The goal is to coordinate the actions of Teamster Trustees and funds on investment policy, corporate governance and shareholder activism. It's a recognition that money is power and coordinating trust decision-making can leverage the money in ways that are important to our members and their families.

Teamsters are doing the right thing. We're not bobbing and weaving or dodging the issues.

We're standing up and aggressively advocating for change.

Investor decisions literally mean jobs for our members. For example, do we create more jobs for Teamsters by investing pension assets in China or the U.S.? Long term, the trustee seminar means increased influence in corporate decision making and an answer to where jobs are located, under what conditions and at what levels of compensation.

Finally, aggressive participation in political decision making at the national, state and local level. The early endorsement of John Kerry is proof positive that the Teamsters are going to be very active in seeking a change of leadership in Washington, D.C.

The choice is ours

Bill Clinton's first campaign slogan was "It's the economy, stupid." We need to look at the economy over the last three years.

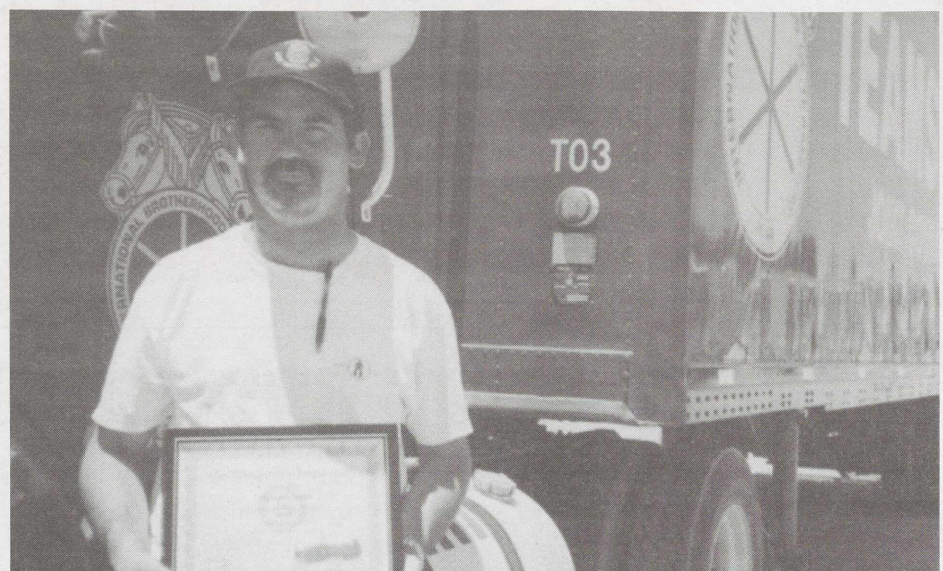
Unemployment is up, not surprising with the number of manufacturing and even white collar jobs that are being exported overseas. Health care costs are up. More than 45 million Americans, seven million in California alone, have no benefits. The budget deficit has hit an all-time high. Gasoline prices continue to soar.

The only thing that has gone down is investment income and that's had a negative impact on our pension plans.

The country is literally at a crossroads as we make our choice for President. Do we continue to follow the path of the current administration—with tax breaks for the wealthy, high unemployment, the export of both manufacturing and white collar jobs, record deficits, and health care erosion? Or do we change this agenda and fight for a country that's worker-friendly, with an administration intent on delivering the American dream rather than an American nightmare.

The Teamsters are doing the right thing. We're not bobbing and weaving. We're not dodging the problems and issues. We're standing up, speaking out and aggressively advocating change.

Are we proud, or what?



Mike Smith, a member of Teamsters Local 78, is pictured holding a certificate of completion for the Joint Council 7's Commercial Drivers Education Program. What a story. Smith is hearing impaired and unable to speak, but that didn't stop him. He passed his Department of Motor Vehicles motor skills exam with a 91% overall score.

See the ad below for how you, or someone you know, can take advantage of Joint Council 7's commercial drivers education program. This program may offer just the opportunity you need to increase your skills and your earning power.

APPLY NOW



CONTACT
YOUR LOCAL FOR AN APPLICATION



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MEMBERS IN FOCUS

Crime survivor promotes restorative justice

It's all about healing for Local 856 member Sue Solis

Susan Solis has taken an incredible journey over the last 18 years, and on April 16, she was brought to Chicago to tape a segment for the *Oprah* show to tell about it.

Solis, a member of Local 856 who now works as a Drug Court officer for Alameda County, did not go to distant lands—her journey took her deep inside her own heart and emotions to

find a place where she could forgive the man who shot and nearly killed her in 1986.

"It was a shooting for hire," Solis says. "He had an automatic and shot me once in the stomach. The only reason I'm still alive is because the gun jammed." Solis spent months in the hospital recuperating. "It was quite a traumatic experience. It's a miracle that I'm alive and that I'm okay physically."

Solis was a Probation Officer at that time so she was well placed to access the assistance available to crime victims. "Not only did I have the physical trauma to recover from, I was also really angry. But I was determined not to be a victim all my life. Getting over this was one of the hardest things I've ever tried to do."

Twelve years after the shooting, Solis got a huge surprise. After serving his sentence for the shooting, the shooter was back in jail

for a new offense. "He saw my name on a list of Probation Officers at the Santa Rita Jail and asked to speak with me. When I finally decided I could meet him, we talked for over an hour and we both cried."

Four years later, he called Solis again. This time, he was clean and had a new wife and baby. "About that time, I took a class taught by George Jurand from the San Francisco Sheriff's Department. I told him my story and he told me about the Restorative Justice Program."

As Jurand explains it, the philosophy of Restorative Justice is to "repair the harm caused by the crime. This process brings victims to the forefront of the criminal justice system. It also holds offenders accountable for their behavior."

Solis agreed to try the Restorative Justice process. Accompanied by two Sheriff's Department mediators, she met with the shooter again. "We ended up meeting four times for 3-4 hours each time. On one occasion, I brought my two kids and then he brought his ex-wife and child, who were also impacted by his crime."

Solis says that the process was hard

work but very healing. "I thought I had done all the releasing that was necessary, but there was more to be released."

Solis still works for Alameda County, but also speaks as a Survivor Restoration Advocate. "I've been speaking in the jails to violent criminals for a year now, as well as to probation officers who take the Restorative Justice training."

"When you forgive, you don't forget or in any way minimize the violent crime. It helped me to know that the shooter was sentenced to 12 years in state prison. But through this process I have come to believe that healing *can* happen. It happened for me."



From Bay Area jails to the *Oprah* show, Sue Solis tells her story of how it's possible to forgive and heal.

Members in Focus

Joint Council 7 has more than 50,000 members across the greater Bay Area and many of you are doing fascinating things—at work, at home and in your communities. If you have a story you think might work in the Northern California Teamster, please contact your business agent or e-mail newspaper editor Debra Chaplan at dchaplan@mindspring.com.

Leagues provide young people with an important outlet and scholarship opportunities

Local 85 member Doug Callahan builds youth basketball league

What do you do when you have a 13-year old daughter who's good at sports but has nowhere to play? If you're Local 85 member Doug Callahan, you form a youth basketball league.

"As founder and director of the Millbrae Allstars, I guess I did all the footwork to get the program set up," Callahan says. "From registering with the Amateur Athletic Union (AAU), to picking team names and colors, to getting uniforms and trying to raise money for sponsorships... Oh yeah, and I do a little coaching, too."

Now in its second year, the Millbrae Allstars League is a member of the Pacific AAU Association and currently plays in Division 1. With four girls' teams and two boys' teams, more than seventy 11-16 year olds are actively involved in the program.

"We're looking to expand," Callahan says. "We just need to make sure we have enough trained coaches and facilities to make it a good experience."

Callahan's real goal is to use this league to make a difference for the young people in the community. "This year, we're starting to work with inner-

city kids to bring them into our League and keep them out of harm's way."

Callahan says there really aren't enough youth sports facilities on the peninsula. "This program gives a lot of kids an opportunity to be part of a team and to excel, which they might not otherwise have." The Millbrae Police Department has endorsed the League because it provides kids with a place to go to help them stay out of trouble.

The League's older teams have been invited to Reno and Maui for NCAA tournaments this summer. "Our oldest kids are just 15, so they aren't looking for scholarships yet. But this will give them a sense of what it's like to play in front of college scouts."

On May 8-9, the Millbrae League will host a tournament at Mills, Cappuccino and Burlingame High Schools for 70-100 teams from across Northern California. "We're always looking for sponsors, and we're a non-profit group," Callahan is quick to point out. Last year's tournament raised more than \$5,000 to cover expenses.

While establishing the League was Doug's brainchild, he says there's no way he could manage it alone.

Kawann and Kareem Summerville are the Athletic Directors for girls' and boys' teams, respectively. Shareen Suhal, another parent, does all of the travel coordination. Callahan also wanted to acknowledge Mike Dosier and Darrell Burns, Local 85 members from Airborne, who were recruited to coach and referee for the League.

"Last year, one of our girls' teams came home with eight trophies out of 13 tournaments," Callahan says. "The spring season just got off the ground, and already we've won one trophy. It looks like it'll be a good year."

Callahan Doug Callahan and one of the winning Millbrae Allstars girls teams



Workers at NewStar in Yuma and Lemoore win fight for respect

On March 26, cooler workers employed by NewStar Fresh Foods in Lemoore, California and Yuma, Arizona, voted by a margin of 53-0 to be represented by Teamsters Local 890.

The Local already represents about 60 NewStar cooler workers and 80 NewStar salad plant employees in Salinas. This election targeted their Yuma cooler, which runs from November through March, as well as a smaller cooler in Lemoore, near Visalia, which operates with Yuma employees in the months of October, November, March and April.

"We formed a union with the Teamsters because we want respect on the job, and decent pay and benefits," said Julia DeSantiago, an employee at the Yuma cooler. "Right now, the company provides no medical insurance and we don't have any paid holidays or vacation."

The lettuce and bagged salad industries work in Yuma in the winter and Salinas in the summer, with brief stops



While celebrating the cooler election victory, salad plant employees delivered signed union authorization cards.

in California's Central Valley in the spring and fall. Local 890 has been working in partnership with the IBT Organizing Department to target unorganized facilities in the Yuma area that have union counterparts in Salinas.

Celebration brings new shop to union

At the close of the Yuma lettuce season, Local 890 held a BBQ to celebrate the victory and elect a bargain-

ing committee of cooler workers. Many of the Yuma NewStar cooler workers have friends and family working in NewStar's Yuma salad plant, and during the course of the election, they worked with the organizing team to build support there as well. Both cooler and salad plant employees turned out for the BBQ. The salad plant workers brought with them union authorization cards from the large majority of NewStar's salad

workers, asking for their own election. Local 890 expects that an election will be held at the Yuma salad plant as soon as the season moves back down there again in November.

As part of the same campaign, a second election petition has been filed which covers approximately 80 maintenance and technical employees at Taylor Farms' Yuma facility. The union is awaiting a decision from the National Labor Relations Board as to when the election will be held and who will be in the bargaining unit.

Teamsters Local 890 President Frank Gallegos applauded the result, and noted that Local 890 has had a solid relationship with NewStar in Salinas. "NewStar has dealt with us in a very straightforward manner in Salinas, and I have no reason to expect anything different in Yuma," he said. "They know that we have the support of our members, and that they will get a lot more done working with us than working against us."

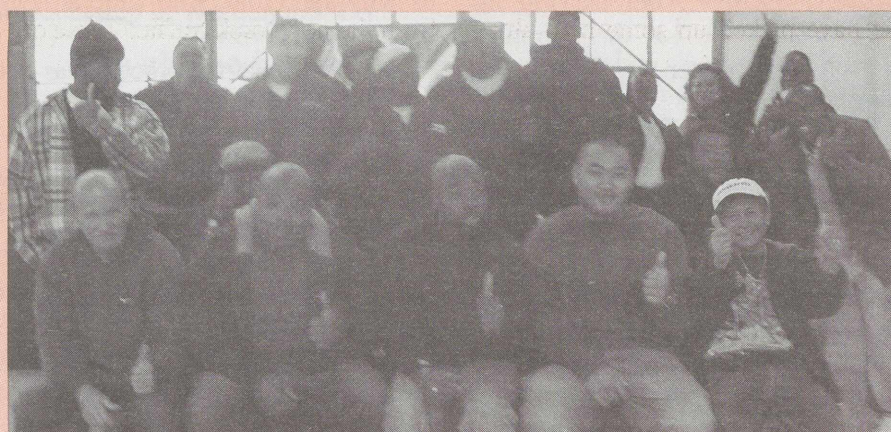
Workers at two laundry facilities vote for union

Teamsters Local 78 scored a double victory in the laundry industry, providing 17 more workers a voice on the job.

On March 10, eight driver/sales workers at Unifirst Laundry in Hayward voted to join Local 78. "These employees often work 12 to 14 hours a day, but they don't receive overtime. That's their number one concern," says Local 78 Organizer Skip Joaquin. "Also, they are not receiving the full commission that they're entitled to." Joaquin says that the Local plans to have its attorneys file a class-action lawsuit to force the company to pay fair wages.

Six days later, on March 16, drivers and sales workers at Aramark Clean Room in Oakland voted 9-0 to join Local 78. The Oakland Aramark facility was the company's last non-union center in the Bay Area. "Because it has been non-union, the workers are being paid much less than other Aramark employees," Joaquin said of these workers' top concern.

Joaquin gives much of the credit for these organizing wins to International Union Organizer Dan Sullivan, a former employee of Aramark. "He knows the industry inside and out."



Local 315's new members at Auto Warehousing Company in Richmond

Using political clout to support union drive

Local 315 used a little bit of its clout in West Contra Costa County to ensure that the workers at Auto Warehousing Corporation gained voluntary recognition for their union of choice—the Teamsters.

After learning that an auto processing company was moving into the highly unionized Port of Richmond area, Local 315 got moving on the political front. Secretary Treasurer Dale Robbins made it known to local politicians and port regulators that AWC should be a union company.

Organizer Steve Gutierrez and Business Agent Mario Martinez started contacting prospective employees, and within two weeks, a majority signed union authorization cards.

Robbins contacted the company and informed them that Local 315 was ready to represent their employees. "The company gave it some consideration and, to their credit, contacted me the next day and agreed to recognize the union," Robbins said. "Sometimes a little friendly persuasion and leverage gets the results we are seeking."

AWC processes, accessorizes, stores, and details new cars that are brought in by rail to be delivered to dealerships. They currently have 25 employees and anticipate staffing up to 75-80 employees in the future.

Negotiations are under way for a first contract now.

Parking battle ends with victory for members of Local 78

When a parking company took over an existing Teamster contract but refused to bargain in good faith, Local 78 took action and won a fight that will ultimately protect the rights of 52 union members.

The story began more than a year ago, when the employees at Ampco Systems Parking at Alta Bates' Summit facility in Oakland voted to join Local 78. This organizing victory covered 52 shuttle bus drivers, parking lot attendants, cashiers and valet parkers at Ampco.

On January 1, 2004, Ampco lost the contract at the medical center. PCA (Parking Company of America) took over the contract, but refused to bargain with the union.

Organizer Skip Joaquin filed a complaint with the National Labor Relations Board (NLRB) under the "Burns Successorship" law. On March 19, the NLRB issued a complaint. Then, on March 23, PCA relented, agreeing to negotiate with Local 78.

"The employees worked hard on the organizing campaign more than a year ago, and the company is obligated to negotiate," Joaquin said. "I'm pleased with the outcome."



News from Local 70

70 Hegenberger Road, Oakland, CA 94621

June/July/August 2004

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Phil Frost *Warden*

Supreme Court: *Here we come!*

Local 70 had a date with the Supreme Court on April 21, challenging a Bush administration rule that would permit Mexican trucks and buses to begin operating in the U.S.

Our attorney, Jonathan Weissglass, argued in support of a Ninth Circuit Court ruling that requires the Department of Transportation (DOT) to comply with domestic laws and conduct a full assessment of the environmental and public health threats that might be posed if permits are issued to tens of thousands of trucks from Mexico to drive throughout the U.S.

We didn't go alone; the Local is part of the broad coalition that includes the

IBT, Public Citizen, the National Resources Defense Council and even the California Trucking Association.

The Mexican domiciled truck fleet is older than the U.S. fleet and thus poses a risk of greater air pollution.

We argued that if the DOT does not fully comply with environmental laws, they're putting the health of citizens living in America's most polluted cities at risk once Mexican-domiciled trucks start to haul goods regularly throughout the U.S.

Local 70 and our partners in this case have picked up some help along the way. Joining the case with amicus briefs are the Attorneys General for

nine states, the American Public Health Association, American Lung Association, Physicians for Social Responsibility, South Coast Air Quality Management District, California Republican Reps. Mary Bono and Elton Gallegly, Defenders of Wildlife, Environmental Defense Fund and Sierra Club.

The Supreme Court agreed last December to review the case at the request of the Bush administration, even though DOT had begun holding public hearings and researching the environmental harm that could result from the new truck traffic. These environmental reviews are expected to be completed as early as this summer.

"The case raises some interesting questions," says Secretary-Treasurer Chuck Mack. "For instance, do the trade agreements entered into with other countries supersede environmental laws that Congress has passed to protect the health of U.S. citizens? If American trucks must meet air quality standards, why not those from Mexico? If the trucks from Mexico don't have to meet the same standards, isn't this a competitive advantage?"

The Teamsters see the Bush administration's appeal as nothing less than an attempt to sacrifice environmental laws for monetary gain. The court will likely make its decision by June.

So Cal grocery strike ends; Nor Cal contract up soon

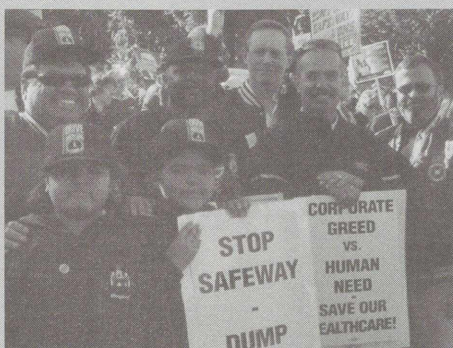
Northern California Teamsters strongly supported the striking United Food and Commercial Workers (UFCW) in Southern California by attending rallies and donating to the strike fund. After five long months, the 70,000 striking grocery workers ratified an agreement with the three grocery chains in early March.

Their new contract includes wage freezes, increased health and welfare co-payments for current workers, and a two-tiered scale that lowers wages and health benefits for new hires.

The industry was not unscathed. Collectively the three chains lost \$2 billion during the strike.

UFCW clerks in the Washington, D.C. area reached a settlement in late March. While setting no records, it's much better than the Southern California agreement.

Teamster chain store industry agreements expire in the fall of 2005. "We expect to face many of the same issues, including health and welfare cost increases, that surfaced in the Southern California negotiations," says Secretary-Treasurer Chuck Mack. "Teamsters will have to present a common front and plan early."



Local 70 members support the strikers.

Settlement expedited at xpedx

Local 70 members working for xpedx overwhelmingly ratified a new four year contract in late February. The agreement contains solid wage increases, a lot of money for health care and the right to divert money to pension over its life.

Agreement didn't come easy. Xpedx is a subsidiary of International Paper, a company with a well-deserved reputation for hard bargaining and long strikes. They didn't disappoint. Talks were tough. The company offered a low ball proposal and moved very little over the six months of bargaining.

The Local was up to the task and determined to get a good agreement. Business Agent Dominic Chiovare and President Joe Silva met with the company a number of times. Their message to the company was clear: no movement guaranteed a strike.

National solidarity helps

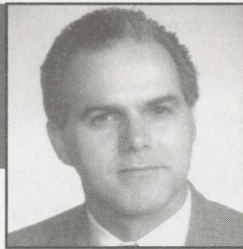
Boston's Local 25 was also having trouble getting a contract with xpedx and as of late 2003, their members were on strike. By connecting with Local 25's leadership, Chiovare hinted at national action against the com-

pany if they failed to come to terms with either Local. Chiovare also reached out to IBT's Corporate Affairs/Strategic Campaign Department. This strategy worked. A five-hour bargaining session at IBT headquarters in mid-February produced a tentative agreement.

Chiovare and Secretary-Treasurer Chuck Mack represented the Local. In the end, as is most often the case now, it came down to health and welfare—and the company moved. They agreed to a significant contribution increase ensuring that members and their families have comprehensive coverage at moderate cost.

"We're pleased," Chiovare told the members. "We got more than we expected short of a strike." Chiovare credited the IBT's Corporate Affairs Department for "moving the process toward agreement." Finally, he thanked the xpedx members for their patience and commitment over the many months of bargaining.

With three locations in Southern Alameda County, xpedx employs 100 drivers and warehouse workers.



President's Report *Joe Silva*

Training organizers for the future

Freight industry organizing project

On Saturday morning April 3, representatives of Locals 70, 137, 287, 315, 490, 624, and 856 convened in the Local 70 auditorium for a freight industry training seminar. More than 40 Local 70 officers, officials, shop stewards and rank and file freight members participated in this event.

IBT Organizer and Local 63 Business Agent Randy Korgan conducted the program with help from project organizers out of Locals 439, 63 and 150. Korgan speaks our language. A lifelong Teamster who has organized workers in a number of industries in Southern California, Korgan immediately connected with our members and offered a comprehensive program. He explained the nuts and bolts of organizing and the rationale for selecting the USF Corporation for a full throttle organizing campaign.

The choice of USF was well thought out. USF subsidiaries Holland and Red Star are signatory to the National Master Freight Agreement. With a relationship between USF and the Teamsters already in place, we have a good shot at reaching agreement with this company if we can overcome the formidable task of organizing the company's two non-union terminals, USF Dugan and USF Bestway.

This was an exceptionally good training seminar. The focus on organizing in the freight industry was long overdue. We thank all those who gave up the better part of a Saturday to take part in the seminar. We are especially thankful for the input provided by Business Agent/JC-7 Freight Coordinator Bob Bell, and Business Agent/Organizer Odus Hall.

So Cal grocery strike settlement

The United Food and Commercial Workers (UFCW) ratified a new contract with Safeway (Vons), Kroger (Ralphs), and Albertsons at the end of February and returned to work in early March. This almost five-month contentious strike ended with losses for both the grocery chains and union workers, although even with a \$2 billion hit, the companies fared better than the union workers did.

The grocery chains expect to recover their losses over time with lower labor costs as current workers who leave are replaced by lower-paid workers. Their strategy of "some immediate pain for long term gain" seemed to prevail.

Union workers were dealt a blow in both the short and long term, losing earnings, health and welfare benefits and pension contributions. New hires will be paid at a lower rate under a two-tiered system.

The UFCW can take credit for the fact that the final agreement improved the earlier offer rejected in October 2003. The settlement is difficult to swallow but after five months "on the pavement," it is understandable.

There is a glimmer of hope. A late-March contract settlement in the Washington, D.C. area came without a strike, showing that the employers may not insist on duplicating the Southern California agreement everywhere else.

Negotiations in Northern California take place this summer and they will likely be contentious. We will support our UFCW brothers and sisters. We hope they can avoid a strike and maintain the wage benefit packages currently in place.

Decision at DHL/Airborne

The details of the merger of DHL/Airborne operations are falling into place. Important decisions affecting work jurisdiction and transfer rights were the subject of Change of Operations hearings in early April. The Multi-Region Change of Operations Committee faced a daunting task in resolving issues surrounding the merger.

The final negotiations included lay-off protections, no negative impact on Airborne employees' contractual rights, specific bidding rights for DHL employees for Airborne facilities, and much more.

The decision is comprehensive and consistent with earlier decisions regarding the dovetailing of seniority based upon the transfer of work. The Committee retains jurisdiction to resolve disputes that may arise. The Committee deserves credit for its efforts to provide a "win-win" solution to this difficult merger.

Danone Water/DS Waters

On March 13, our members ratified a one-year contract extension by the overwhelming margin of 50 to 3. Danone Water previously purchased Alhambra Water and in November 2003, Danone Water announced a joint venture with Suntory Water Group, which includes Sierra Springs. The combined group is called DS Waters, LP. The Danone contract would have expired October 31, 2004. The new agreement expires October 31, 2005.

This transitional agreement solidifies our position in this industry. It combines many of the Sierra Springs facilities with the Danone Water facilities and places them under the multi-union collective bargaining agreement. Instead of diminishing work opportunities and job security the new agreement with D&S Waters enhances both.

Local 78 Business Agent Dennis Hart chaired the negotiations on behalf of Teamsters Locals 70, 78, 278, 490, 624 and 890. Business Agent Odus Hall represented Local 70.

Local 70's interests were protected. D&S Waters' Union City facility will incorporate work presently done by the Sierra Springs' San Jose Production facility. Some routes from Sierra Springs' Emeryville facility will be transferred to Union City. A separate Letter of Understanding ensures that in the event of openings in Union City, once the work is moved, if the company selects a former San Jose employee for that work, that employee will not dovetail into the existing Union City Manufacturing seniority list.

Much work is still to be done with the remaining non-union Sierra Springs facilities, but the Union negotiating Committee deserves great credit for maintaining the integrity of the Danone Water agreement.

Organizing meeting focuses on USF

Local 70's Spring Stewards Council meeting was expanded to include an organizing information session on the IBT's campaign at USF's subsidiaries Bestway and Dugan. The April meeting involved JC7 officers and officials and more than 40 Local 70 stewards and freight members.

IBT Organizer Randy Korgan and four rank and file organizers from the Western Region brought everyone current on representation elections taking place across the country. They then encouraged Teamster members to get involved.

The focus on US Freight is timely. This effort is part of the IBT's commitment to organizing on a large scale in trucking, one of the core Teamster industries. The program is imaginative and creative, but will only work if our Local's members partner with the International.

"One doorbell at a time"

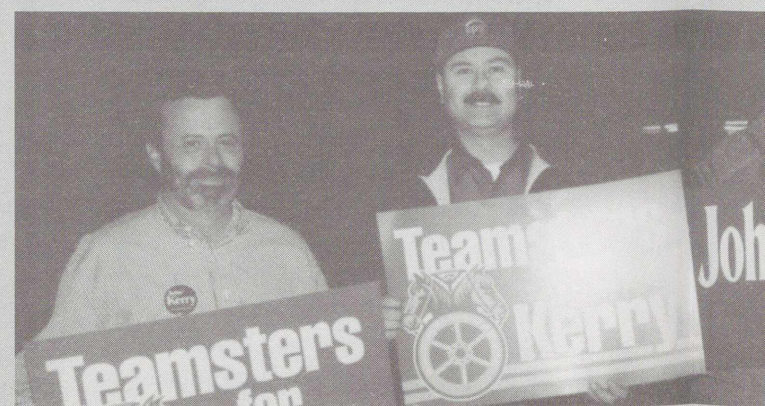
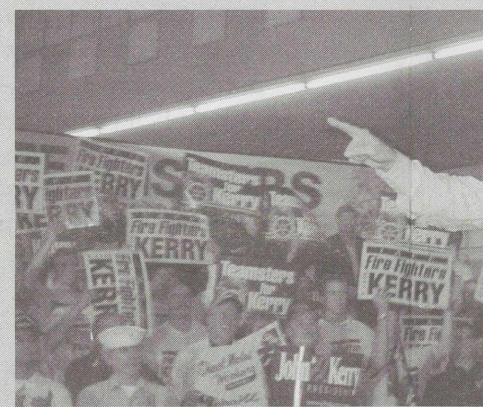
The 2004 presidential election is going to be a close and difficult race, but we're up to the challenge—we have to be!

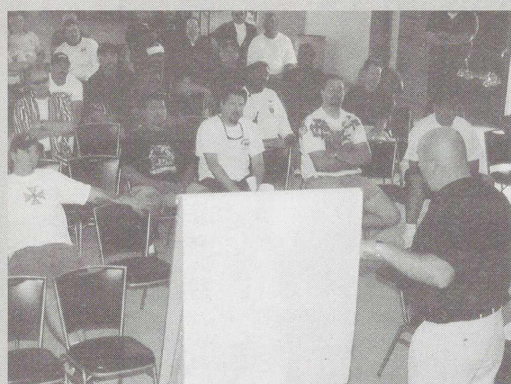
Local 70 will work hard to activate political coordinators at every work site and get the rank and file involved in phone banking, precinct walks and expanding our voter registration to include family and friends.

While it may not be news that the Teamsters are backing John Kerry for President, an important development is that all of organized labor has come together to support him and to beat Bush.

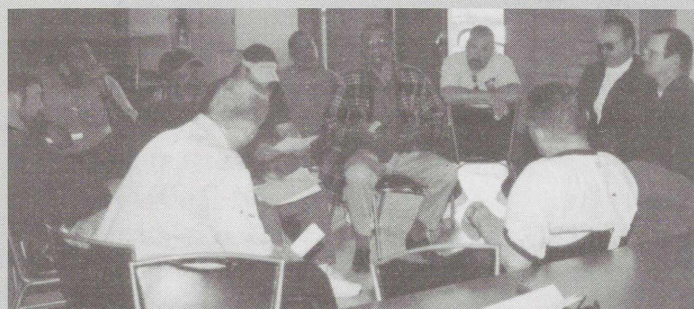
Kerry hit his stride during the primaries, showing his ability to excite and unify voters by addressing the difficult problems this country is facing.

Kerry's appeal was never more evident than at his rally at Local 70's Auditorium on February 27. Health care, job creation and fair taxation were just a few of the issues he hit on. The more than 2,000 people who attended hung on his every word and responded with cheers. They are clearly ready for change, for the country to head in a new direction, and Kerry was clearly ready to lead the charge.



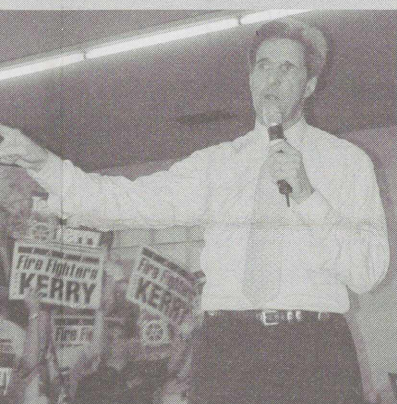


IBT Organizer Randy Korgan outlines the Bestway organizing program to freight members and Steward Council.



Members discuss the best way to approach Bestway workers.

Political Action by LOU MARCHETTI



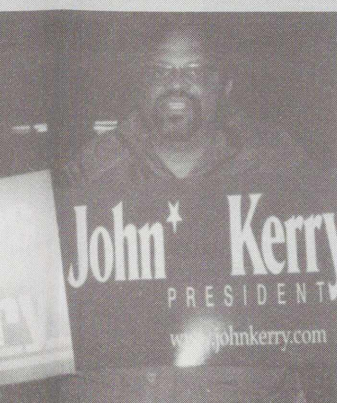
"One doorbell at a time!" is Kerry's campaign motto and strategy and the Teamsters are committed to helping him. While many voters have already made up their mind, we have to reach the 10% of voters who are still undecided. They work with us, live in our neighborhoods, and attend the same

schools and churches.

This effort is not about ranting and raving; it's about appealing to people's sense of fairness and justice. It's about putting the majority ahead of the chosen few.

Between now and August, George Bush will spend a record \$140 million to convince the undecided voters he deserves another term, and he already has a \$200 million war chest to carry him through the election. If he is successful, he will send labor unions and working people back to the dark ages. We know that as a "lame duck" President, he will seek to finish the job he's started on re-making the economy, and crush labor unions that serve as an obstacle to his master plan.

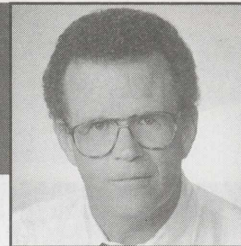
Local 70 will remain the leading Local in political action. We will schedule a Political Coordinators Meeting in May or early June to put together a structure for November's election.



Top: John Kerry addresses union members at Local 70's Auditorium on February 27.

At Left: (L to R) Local 70 Political Director Lou Marchetti, Robert Alameda, UPS and James Cherry, Retired/UPS show their support for the John Kerry campaign.

Secretary-Treasurer's Report Chuck Mack



We appreciate our members

One of the benefits of being Secretary-Treasurer is the opportunity I get to visit with members at the worksite. It enables me to share information with members directly and even more importantly to listen to their concerns, problems and issues. At times these worksite visits can be tense, other times emotional and most often just plain fun.

The biggest value of worksite visits is their constant reinforcement of why I wanted to be a representative in the first place. Local 70 members are bright, witty, cantankerous, sometimes hostile and always a challenge.

I want to thank our members for their hospitality, help, patience and support. Over the past couple of months, I've had the opportunity to stop by the following terminals: Rodgers, UPS, Unisource, Airborne (Dublin), Integris, Mills College, ABF, Airborne (Fremont), Gallade, Meyers Plumbing, Rodgers (warehouse), Airborne (Oakland), Roadway, Lawson, Yellow, Pacific Supply, Andronicos, Saroni, B & L, Iron Mountain, Horizon/Sea-Land, Jorgensen, Youngs (Union City), Spicer, Alhambra/Danone, Norton, Iron Mountain (Hayward), Pennzoil, Longview, Oakland Public Schools, Youngs (Oakland), Oakland Scavenger Transfer, McGrath Steel, J & N and Western Event Services.

My apologies to our members who work the swing shift. Most of my visits take place in the early morning. With so many evening meetings, it's difficult for me to get to worksites on the swing shift.

Meetings with Kerry & Schwarzenegger

Speaking of meetings, I had the opportunity to sit down with California's new Governor, Arnold Schwarzenegger, and Democratic Presidential Nominee John Kerry in February...though not at the same time, of course.

The Schwarzenegger meeting was early in the month and Kerry's a few weeks later, following his rally at Local 70. An interesting aside, I found Schwarzenegger to be focused but rather unassuming and definitely not ego driven. He's more a pragmatist than an ideologue and expressed the desire to work with labor and business to resolve California's problems. We have an open mind and welcome the opportunity.

Kerry was in campaign mode—he said the right

things and the level of support was overwhelming. He's bright, knows the issues and is focused on the plight of all Americans. He would be a welcome change from what we have now.

Center stage

Local 70 members have a right to be proud of their Local. We are at the forefront of most of the struggles, issues and events occurring in Bay Area labor. As you can see by this edition of the "Northern California Teamster" we hosted the Kerry rally, the UPS NorCal Workshop and the IBT Freight Organizing Seminar for JC7. We provided members and resources to the UFCW during their dispute with the grocery industry in Southern California and our members leafleted at the Port of Oakland in support of HR2863, the safe chassis bill.

These are critical times. They demand action. If you're a member of Local 70, you can expect to be engaged in a number of struggles before the year ends.

Many of the struggles coming up will be in the political arena. We need to get John Kerry elected as President. We need to get Barbara Boxer re-elected to the Senate and we need to defeat the effort of big business to overturn SB2, the California Health Insurance Act of 2003.

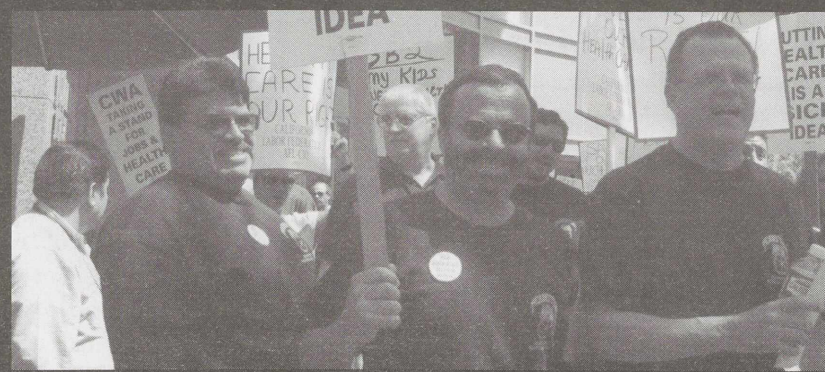
Some of the struggles may be economic. We've opened contract negotiations at a number of companies including Pennzoil, California Waste Solutions, Matheson Mail, McGrath Steel, Jay N Co., and Reliance Metalcenter. If health care becomes an issue, anything can happen and strikes are possible. Challenging, yes, but if the Local remains strong and united, we can't be defeated.

Short notes

Dues were increased in the month of April. This was necessary to offset deficits the Local has experienced over the last two years. With the reductions in staff and expenses, and the additional revenue, we hope to break even in 2004. The one unknown in our budget calculations is the number of members. An increase or decrease in membership can affect income dramatically. At this point numbers look good and we expect them to hold through the year.

Political Coordinators.... we will schedule a Political Coordinators Meeting in May or early June to put together a structure for November's election.

Unions advise Chamber of Commerce: Don't mess with SB-2



After meeting with key state legislators on April 27, Teamster members joined the California Labor Federation-sponsored rally and march to oppose the repeal of SB-2 on the November ballot. The "Walk of Shame" went from the Sacramento offices of the Chamber of Commerce to the California Restaurant Association and the California Retailers Association.

Organizing Update by Odus Hall

Organizing focuses on core industries

For 2004, Local 70 decided to focus our organizing programs on our core industries like freight and beverage, but we will, of course, take advantage of opportunities that come to us in other industries and crafts.

USF Bestway

At April's stewards council meeting, Local 70 teamed up with the International Union to lay out a plan for organizing USF. Bestway terminals in the Bay Area. Bestway's parent company, USF, operates five major regional carriers that together make up one of the largest carriers in the country.

This aggressive initiative partners the Local with several departments within the International Union, including Organizing, Freight, Government Affairs and Strategic Initiatives. Local 70 Freight Agent Bob Bell and I will direct the organizing drive here at Local 70. We will reach out to our current members in Freight to see if we can find connections to Bestway workers so that we can open dialogue with them.

If you know or have contact with any Bestway drivers or dockmen, please call me at 510-569-9317.

Coca Cola cooler techs

As we go to press, Local 70 is filing a petition to represent a group of outside cooler technicians at Coca Cola. Local 70 has had a contract with Coca Cola in Alameda County for more than 50 years. The long standing contract represents truck drivers, warehousemen, and merchandisers at Coke's sales facility in Union City and their sales and production facilities in San Leandro.

The cooler technicians make repairs to refrigerators and vending machines out in the trade. These are

the last group of Coca Cola workers to be organized, excluding management and clerical. Local 70's membership at Coca Cola has grown through organizing and through Coca Cola's centralization in San Leandro and is now the Local's third largest employer, trailing only UPS and Waste Management.

Danone Water (Alhambra)

Late last year, Danone/Alhambra announced the formation of a joint venture with Sierra Springs to create a new company named D&S Waters Incorporated. Local 70 was very concerned about this consolidation since Sierra Springs was non-union and had been for many years.

In response to the announcement, we hit the street to talk with the non-union Sierra Springs drivers. After several meetings, the Sierra Springs drivers signed pledge cards seeking representation from Local 70.

Danone/Alhambra operates a water-bottling plant and distribution facility within Local 70's jurisdiction in Union City. The company also has unionized operations throughout the Bay Area, all covered by the Master Bay Area Contract.

In March, the Bay Area unions met with the company and hammered out a consolidation agreement for a one-year contract extension. With 90% approval, the Agreement was ratified by Local 70's membership.

We were successful in bringing all of the unionized Danone/Alhambra employees and the formerly non-union Sierra Springs workers under one collective bargaining agreement covering Vallejo, San Francisco, San Jose, and Union City. The fact that the Sierra Springs drivers in Emeryville had already gone on record seeking unionization was very helpful.

Local Union 70, City of Oakland, CA International Brotherhood of Teamsters

TRUSTEES REPORT FEBRUARY 2004

INCOME			
Membership Dues	\$210,630.98	Per capita tax	60,577.39
Initiation and Re-initiation Fees	13,206.70	Contributions	2,115.00
Withdrawals and Transfers	1.00	Benefits Paid	37,548.57
Assessments & Fines	14,744.75	Funds for transmittal	640.50
Non-member fees	1,545.25	Refunds-Dues	853.12
Funds for transmittal for members	805.75	Office and Administrative	16,758.44
Other Receipts (Schedule A)	4,583.20	Legal Fees	2,787.43
Mandatory Drug Test	249.50	Arbitration Fees	350.00
Total income	\$245,767.13	Other Professional Fees	11,000.00
		Taxes	17,664.69
		Meeting and committee expenses	768.39
EXPENSES		Auto expenses	3,004.24
Salaries	\$69,168.79	Out of town travel expenses	6,407.54
Expense allowances	6,375.00	Other expenses (Schedule B)	16,142.77
Total expense			\$252,161.87
Net income			(\$6,394.74)

STATEMENT OF ASSETS & LIABILITIES As of February 29, 2004

Assets	Feb. 29, 04	Jan. 31, 04	\$ Change
General Fund-Checking Acct.	54,535.33	67,598.21	(13,062.88)
Petty Cash	850.00	850.00	0.00
General Fund-Savings Acct.	12,961.84	12,961.00	0.84
General Fund-CD	535,603.24	535,230.42	372.82
Cash in Special Funds	70,672.50	70,626.29	46.21
Land	161,487.99	161,487.99	0.00
Buildings	196,664.56	196,664.56	0.00
Office Furniture/Equipment	19,008.96	19,008.96	0.00
Other Assets	16,764.79	16,764.79	0.00
Total Assets	\$1,068,549.21	\$1,081,192.22	(\$12,643.01)
Liabilities & Equity			
Payroll Liability	2,191.13	1,131.19	1,059.94
Long Term Liabilities: Obligations	1,250,224.64	1,257,532.84	(7,308.21)
Total Liabilities	\$1,252,415.77	\$1,258,664.04	(\$6,248.27)
Equity			
Opening Balance Equity	(211,544.74)	(211,544.74)	0.00
Net Income	27,678.18	34,072.92	(6,394.74)
Total Equity	\$(183,866.56)	\$(177,471.82)	(\$6,394.74)
Total Liabilities & Equity	\$1,068,549.21	\$1,081,192.22	(\$12,643.01)

SCHEDULES

Schedule A—Other Receipts		Schedule B—Other Expenses	
Sale of Supplies	786.00	Sick Benefit Payments	8,680.00
Membership application Fee	540.00	Checks Uncollected & Returned	35.75
Interest-General Fund checking	34.58	Interest-IBT Loan	5,239.72
Interest-Citizens Funds	0.84	Pest Control Services	120.00
Interest-Washington Mutual Savings	5.41	Janitorial Supplies	375.00
Interest-Washington Mutual CD	40.80	Gardening Service	325.00
Interest-McM Funds	372.82	Drug Test	349.30
Check Write Off/Prior year	70.00	Beagle & Bleiweiss	1,000.00
Reimbursements-Other Receipts	1,033.00	IBT Assessment	18.00
Difference in Fees	18.75	Total Other Expenses	\$16,142.77
Insurance (Benevolent)	985.00		
Difference in Initiation	496.00		
Joint Council 7 Reim for Scrtry	200.00		
Total Income	\$4,583.20		

For Local 70 members who are sick or hurt. We want to hear from you—you may have benefits coming.

SICK BENEFIT FUND

Monthly Meetings—2nd Tuesday at 7:30 p.m.

1-800-243-1350 or 510-569-9317

In order to be eligible for Sick Benefits, claims must be filed at Local 70's office within thirty (30) days of disability. Also dues, for the previous month, must have been paid on time.

Sick Benefit Fund Bylaws, Section 4: A member depositing an Honorable Withdrawal Card or Transfer Card, or who is reinstated, shall not be eligible for any disability benefits due to injury sustained or illness suffered within a six (6) month period after said Card is deposited, or after said reinstatement; that is, there will be no liability for payment of benefits for any disability having its inception during the six (6) month period. All claims must be filed within thirty (30) days after the date of eligibility. All claims must be filed previous to transferring from Local No. 70.

In Memoriam Local 70 Obituaries

BAPTESTA, John, January 6	KLAAS, Kenneth, March 2
BISHOP, Robert, January 28	MARTIN, William, March 17
FERGUSON, Lynn, January 25	REILLY, William, January 28
FOSTER, Sam, January 12	RODRIGUEZ, Carl, March 7
GARRANTI, Anthony, February 21	SIVELL, Harry L., February 28
GRMOJA, Anthony M., February 23	VASSALLO, Joseph, March 24

THE LOCALS



Local 853 gets support from several Locals in Joint Council 38 for protest at Producers Dairy corporate headquarters in Fresno on April 14.

Joint Council solidarity in contract fight

About 60 employees at Producers Dairy, with facilities in San Leandro and Ripon, voted in November, 2002 to be represented by Local 853 but they still don't have a first contract. After the election, the union immediately sought to initiate talks. "This company not only delayed and cancelled planned meetings, but worse," says Business Agent Bob Strelo. "They fired and tried to intimidate workers." The union has filed charges against the company, which are pending before the National Labor Relations Board.

On Wednesday, April 14, Local 853 turned up the heat. Enlisting the support of Joint Council 38, they sponsored a rally at the company's Fresno headquarters. "We want all of the Bay Area dairies to be unionized, so that our good union employers can compete on an even playing field," said Local 853 Secretary-Treasurer Rome Aloise. "These workers voted for union representation, and we'll do what it takes to make sure they get it."

Morales honored for political work

On February 28, 2004 Local 350 Secretary-Treasurer Robert Morales was presented with the Harry S. Truman Award from the San Francisco Democratic Party.

President Truman once said "if you can't stand the heat, get out of the kitchen." In that spirit, Morales was awarded for always standing the heat and never leaving the kitchen. "Thank you, Robert, for your hard work and dedication to the Democratic Party and all working people."

The award was presented by Jane Morrison, Chair, San Francisco Democratic Party and Walter L. Johnson, Secretary-Treasurer, San Francisco Labor Council.

UPS stewards workshops held in Oakland, Fresno and Sacramento

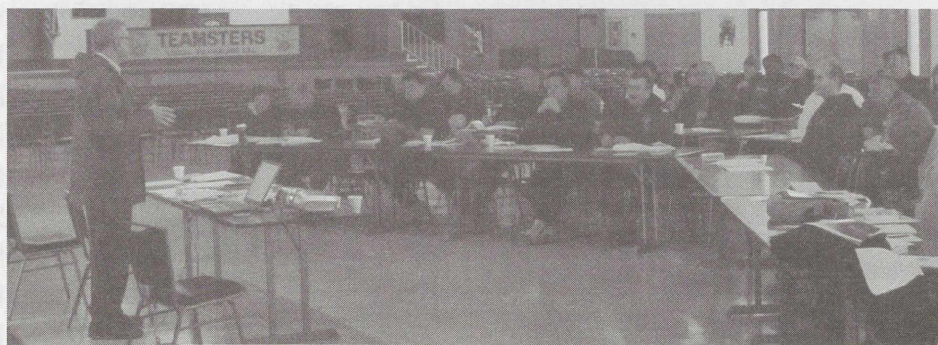
Marty Frates, Chairman of the UPS NorCal Grievance Committee and Local 70 Business Agent, conducted a series of workshops for UPS Shop Stewards and representatives in the NorCal region in March. Meetings were held at Locals 70 in Oakland, 150 in Sacramento and 431 in Fresno.

David Rosenfeld and Daniel Boone from the law firm Weinberg, Roger and Rosenfeld, made presentations on worker rights both under the law and under the UPS agreement.

"We want to give shop stewards as

much information as we can on contracts and the law so that they're equipped to deal with the many challenges presented by UPS management," said Frates. "These workshops were a great learning experience for all of us. Not only did they provide an opportunity for us to disseminate information, but just as importantly, we were able to learn from rank and file members exactly what's going on at the worksite."

More workshops will be planned in the coming months.



Attorney David Rosenfeld speaks with Teamster stewards and representatives at UPS NorCal workshop in Oakland.

San Carlos BFI workers get first contract

By a five to one margin, the 220 employees of Browning & Ferris Industries in San Carlos voted on April 3 to accept their first contract between the company and Local 350.

After these employees voted for union representation in October, 2003, the union and company worked together to nail down a contract. These new Teamsters will now participate in the Western Conference of Teamsters Pension Fund and Teamsters Benefit Trust Health and Welfare with full maintenance of benefits for five years. "In addition to significant wage increases and other benefits, we were able to get some great contract language into this agreement," says Secretary-Treasurer Robert Morales. "We're pleased to welcome these new members into Local 350."

Renn pays big bucks for firing union supporters

Renn Transportation in Gilroy must have thought their union problems would be over if they just fired a few union supporters. The company learned they were wrong the hard way, having to pay more than \$60,000 in back wages to the two former employees.

Renn had fired Israel Ornelas and Dale Highman in the summer of 2003 for distributing information about the benefits of joining Teamsters Local 287. "They weren't on the clock, but they were passing out material in the company lunch room," says Organizer Bob Blanchet.

Once the two union sympathizers were fired, any enthusiasm there had been for joining the union was drained.

Teamsters Local 287 knew that the company's actions violated federal labor law so they filed charges at the National Labor Relations Board. In March, the NLRB issued its verdict and ordered a settlement agreement that provided \$55,000 in back pay to

Ornelas and more than \$5,000 to Highman. Ornelas had been trying to get a union construction job, while Highman had found work closer to his home, so his settlement deducted the lost time from the wages he was earning.

In addition, the settlement calls for Renn Transportation to post a notice to employees stating that the company will not:

1. Pretend that employees are under surveillance for union activity,
2. Interrogate employees about union activity, and
3. Threaten employees for engaging in union activity.

"Everyone at Renn, and even folks in other companies, heard that Dale and Israel had been fired, so they weren't anxious to talk with us."

"Breaking federal labor laws never pays," says Blanchet, "but being a Teamster does!"

IBT launches organizing drive at USF Bestway

Joint Councils 7 and 38 brought shop stewards and rank and file members together for meetings in Oakland and Sacramento in March, to kick off the Northern California organizing drive at USF Bestway. With these meetings, the Northern California locals join a national organizing effort being coordinated by the IBT.

Several Bestway terminals have already been organized and interest is high at many others.

Bestway is the tenth-ranked transportation holding company in the U.S. and Canada, and its largest subsidiaries—Holland and Red Star—are already under the Teamsters National Master Freight Agreement.

"Bestway is a company that can be organized and it's a company with whom we can reach an agreement once

organized," says Joint Council 7 President Chuck Mack.

"The USF campaign is exciting and creative," adds Mack. "The IBT is working strategically, utilizing the services of all of its departments and putting an army of organizers and volunteers on the street. It's an important and indispensable step to organizing workers in a Teamster core industry."

The meeting and organizer training was led by Randy Korgan, IBT Organizer out of Local 63, who is directing the program nationally. Korgan provided an update on organizing efforts to date, and took the members through a series of role-plays to help them feel comfortable reaching out to Bestway employees. "The Bestway campaign will only work if it's worker-to-worker," Korgan said.

JOINT COUNCIL 7



Executive Board

Chuck Mack...President
Steve Mack...Vice President
Robert Morales...Secretary-Treasurer
Rome Aloise...Recording Secretary
Ernie Yates...Trustee
Carlos Borba...Trustee
Franklin Gallegos...Trustee

Please note:

The Bulletin Board will be included in the paper only once each year, in the June issue. (We will print address and meeting changes on an ongoing basis.) Please save this copy of the Bulletin Board for information about your Local Union.

Delegates' Meetings

The regular 2004 delegates' meetings are held the first Tuesday in February, April, June, August, October and December.

CLIP & SAVE

From now on, the Bulletin Board will only appear once each year.

BULLETIN BOARD

CLIP & SAVE

The next Bulletin Board will appear in the June/July/August 2005 issue.

Local 15, Union City

Membership meetings: Fourth Monday of the month, 3:30 p.m. Check your shop bulletin board for location. May through September, 2004 Membership meetings will be held at Lake Elizabeth Park, Paseo Padre Blvd. in Fremont. Come early and enjoy the barbecue.
Chuck Davis, Secretary-Treasurer

Local 70, Oakland

Regular Membership meetings: Fourth Thursday of the month, 7 p.m., 70 Hegenberger Road, Oakland.
Chuck Mack, Secretary-Treasurer

Local 78, Hayward

Membership meetings: Fourth Monday of the month, 7:30 p.m., 492 C Street, Hayward.
Bakery Division Quarterly meetings: Second Tuesday in March, June, September and December, 5 p.m., at 492 C Street, Hayward
Steve Mack, Secretary-Treasurer

Local 85, San Francisco

Regular Membership meetings: Second Thursday of the month, 7 p.m. Stewards' meeting is an hour prior. We have moved to 850 Harrison Street, San Francisco, CA 94107. Telephone: (415) 344-0085 Meetings will be held at the Local's new location.
NOTE: Labor Day Picnic and Blood Bank: September 6, 2004, San Bruno Park, San Bruno. 11 a.m. - 3 p.m.
Van Beane, Secretary-Treasurer

Local 278, San Francisco

General Membership meetings: Third Tuesday of the month, 7:30 p.m. Slovenian Hall, 2101 Mariposa St., San Francisco.
Jack Bookter, Secretary-Treasurer

Local 287, San Jose

Membership meetings: Second Tuesday of the month, 8 p.m. 1452 North 4th Street, San Jose
Doug O'Neal, Secretary-Treasurer

Local 315, Martinez

General Membership meetings: Second Wednesday of the month, 8 p.m. New Member Orientation begins at 7:15 p.m., 2727 Alhambra Avenue, Martinez
Dale Robbins, Secretary-Treasurer

Local 350, Daly City

General Membership Meetings are held Quarterly as follows:
San Francisco Electricians' Hall: 55 Fillmore Street, San Francisco: 7 p.m. June 10 • Sept. 9 • Dec. 9, 2004
Teamsters Local 287: 1452 North Fourth Street, San Jose; 7 p.m. June 23 • Sept. 22 • Dec. 22, 2004
Robert Morales, Secretary-Treasurer

Local 484, San Francisco

General Membership Meetings: San Francisco: June 8 • Sept. 14 • December 7, 2004 7 p.m. at Spanish Cultural Center, 2850 Alemany Blvd., San Francisco.
North of the Golden Gate Bridge: June 15 • Sept. 21 • December 14, 2004 6 p.m. at Carpenters' Hall, 1700 Corby Avenue, Santa Rosa
John Bottali, Recording Secretary

Local 490, Vallejo

Membership meetings: Second Tuesday of the month, 7 p.m. 445 Nebraska Street in Vallejo.
Carlos Borba, Secretary-Treasurer

Local 624, Santa Rosa

Membership meetings: Fourth Thursday of the month, 7:30 p.m. at Santa Rosa Veterans Building, 1351 Maple Street, Santa Rosa
NOTE: Per the Local 624 Executive Board, the June, July and August Membership meetings are suspended, subject to the disapproval of the membership.
Bob Carr, Secretary-Treasurer

Local 665, Daly City

Regular Membership meetings: Fourth Tuesday of the month, 7 p.m. 295 89th Street, Suite 306, Daly City.
NOTE: Membership meetings will be suspended during the months July, August and September.
Ernie Yates, Secretary-Treasurer

Local 853, San Leandro

Membership meetings are held the second Thursday of the month, 7 p.m. at 1700 Merced Street, San Leandro, except February, June and October, which are held at 701 South B Street, San Mateo.
Rome Aloise, Secretary-Treasurer

Local 856, San Bruno

Regular Membership meetings are held at Local 856's Chetcuti Hall, 453 San Mateo Avenue, San Bruno, 7 p.m. 2004 meeting schedule as follows: May 25 • June, July & August meetings cancelled • September 28 • October 26 • November: Annual Thanksgiving meeting—TBA • December 28: location TBA
Michael J. McLaughlin, Secretary-Treasurer

Local 890, Salinas

Membership meetings: Regular Membership meetings are held the second Thursday of the month, 8 p.m. at 207 North Sanborn Road, Salinas.
NOTE: New office hours: M-Th 8:00 to 4:30/Fri 9:00-3:00. Closed for lunch Noon-1:00
NOTE: July, August and September General Membership meetings are suspended.
Franklin L. Gallegos, President

Local 896, Vallejo

Northern California Soft Drink Saturdays, 10 a.m. at Local 896, 301 Georgia St., Suite 220, Vallejo: May 22 • June 26 • July 31 • August 28 • September 25 • October 30 • November 20 • December 18
Northern California Anheuser-Busch, Inc., Fairfield At Suisun Senior Center, 318 Merganser Drive, Suisun. Tuesday meetings at 4:30 p.m., Sunday meetings at 9:00 a.m. Tues., May 25 • Sun., June 27 • Tues., July 27 • Tues., August 31 • Sun., September 26 • Tues., October 26 • Tues., November 23 • Sun., December 19
NOTE: Local 896/Northern California has moved to 301 Georgia St., Suite 220, Vallejo, CA. 94590, 707-644-8896
Rene Medrano, Secretary-Treasurer

Local 912, Watsonville

General Membership meetings 22 E. 5th Street, Watsonville
Heavy Duty Sales: Third Wednesday at 8 p.m.
Frozen Food and Cannery Apples: Fourth Tuesday at 8 p.m.
Brad Sebring, Secretary-Treasurer

RETIREE CLUBS

Local 85 Retiree Club "Hitchin' Post"

Weekly meetings/home-cooked luncheon—every Thursday, 12 Noon. Pacific Rod and Gun Club, 520 John Muir Drive, San Francisco
Marion "Mike" Lombardo, President

Local 278 Retiree Club

Second Wednesday in March, June, September, December, 12:30 p.m. at Granada Café, 4753 Mission Street, San Francisco.
John Casaccia, President

Local 315 Retiree Club

Third Thursday of every month, 10 a.m. at Local 315's Hall, 2727 Alhambra Avenue, Martinez
Carolyn Robinson, President

Local 490 Retiree Club

Second Thursday of every month, 10 a.m. at Local 490's Hall, 445 Nebraska Street, Vallejo
John Donahue, President

Local 921 Retiree Club

Monthly luncheon - second Tuesday, 12 Noon at the Pinch Hit, 6251 Third Street, San Francisco
Vic Sangervasi, Chairman

Central Coast Retiree Club

Last Thursday of the month at Local 890, 207 North Sanborn Road, Salinas.
Don Smith, President

East Bay Teamster Retirees

Monthly meeting on third Wednesday, 11 a.m. at Local 70, 70 Hegenberger Road, Oakland.
Ernie Freitas, President

North Coast Teamsters Retiree Club

Meetings/luncheons held third Friday of the month at Labor Center, 1710 Corby Avenue, Santa Rosa, 12 Noon
Warren Sallady, President

Sacramento Teamsters Retiree Association

Meets last Wednesday of each month, 1 p.m. at Local 150's Hall, 7120 East Parkway, Sacramento, upstairs.
Eddie Bedrosian, President

Teamsters Retiree Club of Santa Clara County

Monthly meetings are third Thursday, 10:30 a.m. at Local 287, 1452 No. 4th Street, San Jose.
Gilbert Garcia, President

Wine & Spirits Retiree Club

A letter will be sent out to members with meeting information.
Art Royce, President

Teamsters Retiree Assoc. of Local 137

Meeting every second Monday, 2 p.m. at Laborer's Hall, 840 "E" Street, Eureka.
John Stewart, President

Western Conference of Teamsters (WCT) Pension Update

Finally some good news on pension. Investment income was up in 2003. The return was around 20%, a welcome change from the previous three years (2000-2002) when the Plan lost over \$5 Billion.

Last year's positive results naturally raise for many members the ques-

tion of plan improvement, especially future accruals—the dollar amount the plan pays annually to Teamster members/participants. The short answer—it will still be a while. Last year's 20% gain was great but it is only 40% of what we lost between 2000-2002.

Plan Trustees will continue to mon-

itor investment return on a regular basis. Look for plan improvements including increased accruals when the earlier losses are recovered.

Even with last year's accrual reduction, the Western Conference Pension is still the best investment our members make. Consider:

- The Plan, on average, pays a retiring member every dollar contributed on his/her behalf in less than three years.
- Members collect benefits for close to 20 years, on average, after retiring.
- The plan has more than \$25 billion in assets, making it the largest multi-employer plan in the world.

• In 2003 the Western Conference of Teamsters Pension paid out more than \$1.6 Billion to retirees or their beneficiaries. The plan continues to provide benefit increases when many other plans have suspended increases outright, cut benefits or actually gone bankrupt.

The Trustees of your Pension Plan are optimistic about the future and are committed to benefit improvements as investment income returns. In the meantime, the Trustees will continue to protect Plan assets to ensure that your pension is there for you when you retire.

— Chuck Mack & Rome Aloise
Trustees, WCT Pension Plan

NOTICE TO MEMBERS

The California Teamsters are represented at the California Legislature and before state administrative agencies by the California Teamsters Public Affairs Council. The Council is under the direction of Barry Broad, who is the Council's Legislative Representative.

Per Capita Tax

All Teamsters affiliated with Joint Councils 7, 38 and 42 support the California Teamsters Public Affairs Council through a per capita tax of 25 cents per member per month, from union dues. Thirty three and 1/3 percent (33 1/3%) of this is set aside in the Political Action Committee from which the Executive Committee makes campaign contributions.

Executive Committee

Chuck Mack, president of Joint Council No. 7, is the chairman of the Executive Committee. Jim Santangelo, president of Joint Council No. 42 is treasurer and James Long, president of Joint Council No. 38 serves as a member of the Executive Committee, which supervises the staff of the Council.

Policy Committee

A policy committee of eight members from each Joint Council is responsible for the development of the Council's long-term political, legislative and edu-

cation policy, screening candidates and making recommendations to the House of Union Delegates for endorsement for state-wide offices. The Policy Committee members are:

Joint Council of Teamsters 7: President Chuck Mack, Franklin Gallegos, Robert Morales, Jack Bookter, Dale Robbins, Michael McLaughlin, Carlos Borba, Ernie Yates.

Joint Council of Teamsters 38: President James Long, George Avalos, Jr., Dave Hawley, Darrell Pratt, Ralph Ramirez, Sam Rosas, Lucio Reyes, John Souza.

Joint Council of Teamsters 42: President Jim Santangelo, Randy Cammack, John Harren, Ray Whitmer, Phil Saal, Patrick Kelly, Ron Herrera, Ed Smith.

The House of Union Delegates meets on the call of the Executive Board. Each Local Union is entitled to two delegates to the meetings.

Any questions about the California Teamsters Public Affairs Council may be addressed to the chairman of the Executive Board, California Teamsters Public Affairs Council, 1127 11th St., Ste. 501, Sacramento, California 95814. Phone (916) 446-0291, FAX (916) 446-9321. E-mail address info@teamsterctpac.org.

UNION SECURITY NOTICE

THIS NOTICE IS PRINTED TO MAKE SURE YOU UNDERSTAND YOUR FINANCIAL OBLIGATION TO THE LOCAL UNION THAT REPRESENTS YOU IN COLLECTIVE BARGAINING

If your job is covered by a Union security clause in your collective bargaining agreement, the law provides three different methods for you to comply with its obligations:

1. You may become a full member of the Union by paying the initiation fee and monthly dues required pursuant to the Local's Bylaws.
2. You can pay the initiation fee and monthly dues without becoming a member.
3. You can become a "service fee payer," that is, you can pay the percentage of the initiation fee and monthly dues that represents your pro rata share of the collective bargaining expenditures of the Union.

The amount of the service fee is calculated each year by determining the percentage that the Union's collective bargaining expenditures bears to its total expenditures, and applying that percentage to the regular initiation fee and monthly dues. You can obtain this dollar amount upon request to the Local. Under the law, you have the right to challenge the correctness of the Local's calculation of the service fee payment. Procedures for doing this will be explained to you by your Local if you decide to satisfy your Union security obligation by paying a service fee.

A service fee payer is not a member of the Union, and is not entitled to participate in Union affairs.

In Memoriam

Joint Council 7 officers extend condolences to the family and friends of the following Teamster members who died recently

FELATO, John L., Local 15
GEORGE, Wilbur C., Local 15
KING, William C., Local 15
BAPTESTA, John, Local 70
BISHOP, Robert, Local 70
FERGUSON, Lynn, Local 70
FOSTER, Sam, Local 70
GARRANTI, Anthony, Local 70
GRMOJA, Anthony M., Local 70
KLAAS, Kenneth, Local 70
MARTIN, William, Local 70
REILLY, William, Local 70
RODRIGUEZ, Carl, Local 70
SIVELL, Harry L., Local 70
VASSALLO, Joseph, Local 70
DAVIES, Edwin, Local 78
HINEK, Frank, Local 78
ISERT, William, Local 78
O'NEAL, Mike, Local 78
SHERMAN, Margaret, Local 78

SULLIVAN, John, Local 78
WILSON, Ed, Local 78
DE BELLA, John, Local 85
COOLEY, Harry, Local 85
FINNERAN, Robert, Local 85
HAUSNER, Walter, Local 85
RAMOS, Robert, Local 85
VAN KOFF, Nick, Local 85
WEISMANN, Al, Local 85
HURST, Willie, Local 216
STRACHAN, James, Local 265
FONG, Jeff, Local 278
FRONTIERA, Joseph, Local 278
HILL, Omer, Local 278
RICO, Frank, Local 278
THOMSEN, Milton, Local 278
IBARRA, Jesse, Local 287
NARVAEZ, Jimmy, Local 287
PAULSEN, Phillip, Local 315
SZATKOWSKI, Robert, Local 315

CHAVEZ, John, Local 350
GAGGERO, Mario, Local 350
ISOLA, Dino, Local 350
MEDRANO, Richard A., Local 350
REDWOOD, Mark, Local 350
AIRAUDI, Claud, Local 484
RIEBELING, Albert W., Local 484
DEDRICK, Robert "Mickey," Local 490
WHITEAKER, A. Local 624
FRANUSICH, Raymond, Local 665
ESPINOZA, Gelacio, Local 853
FERREIRA, Guilherme, Local 853
HARRIS, Edward E., Local 853
NICANDRO, Carlos, Local 853
PEREIRA, Zettie, Local 853
STREET, Kennic, Local 853
LUCICH, Joyce, Local 856
NARDICO, Marlene, Local 856
SANCHEZ, Diana, Local 856
TAM, Helen, Local 856

TYNELL, Roy, Local 856
LUJAN, Andy, Local 860
CHAVEZ, Justo, Local 890
CROCKER, Coley, Local 890
CRUZ, Cirilia, Local 890
DE NOON, Margie, Local 890
GARCIA, Jose E., Local 890
GARCIA, Tony, Local 890
HALL, Margaret, Local 890
LEAL, Ed, Local 890
MARTINEZ, Teodoro, Local 890
RUBIO, Josefina, Local 890
SALAZAR, Fernando C., Local 890
TRINIDAD, Abundio, Local 890
TRUJILLO, Richard, Local 890
VASQUEZ, Rudy, Local 890
CHAVIS, Francis, Local 896
FARREN, John, Local 896
RUSSELL, Zane, Local 912
COATES, Aron, Local 921



YOUR LEGAL RIGHTS

Employer may be liable for sexual harassment of employees by customers or clients

The California Fair Employment and Housing Act (FEHA) protects employees against sexual harassment, among other types of workplace harassment and discrimination. A recent clarification of the Act, referred to as AB 76, confirms that an employer may be liable for sexual harassment committed against an employee by a third party customer or client, if the employer *knows* or *should have known* about the harassment.

Clarifying the law

The clarification amplifies existing law that holds an employer strictly liable for sexual harassment against an employee by a manager or agent of the employer. The clarification also holds an employer liable for sexual harassment against an employee by a coworker if the employer knew or should have known about the harassment and failed to take immediate and appropriate corrective action. Supervisory employees may also be held personally liable for sexual harassment under FEHA.

In addition to FEHA and Title VII, the federal anti-discrimination law, a plaintiff in a sexual harassment case

may have a claim under the California Constitution or under common law torts such as assault, battery and intentional infliction of emotional distress, depending on the facts of the case.

The recent clarification to the law states: An employer may also be responsible for the acts of nonemployees, with respect to sexual harassment of employees, applicants, or persons providing services pursuant to a contract in the workplace, where the em-

From the Law Office of Beeson, Tayer & Bodine

This commentary is not to be construed as legal advice. Specific legal questions may be directed to the law offices of Beeson, Tayer & Bodine or your own attorney.

ployer, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

AB 76 is considered to be a clarification of existing law rather than a change in the law, meaning that it would apply to cases predating its passage in late 2003.

The clarification came about in response to a specific decision of the California Court of Appeals issued in

October 2002. In a case titled *Salazar v. Diversified Paratransit, Inc.*, the employer apparently did not respond to numerous complaints by several employee bus drivers regarding misconduct by a rider on the bus. A female paratransit driver was repeatedly sexually harassed and eventually attacked by the rider. The Court of Appeals originally upheld a lower court's finding that FEHA does not protect an employee from harassment by an employer's clientele. Two months later AB 76 was introduced into the state legislature to clarify that indeed FEHA was intended to protect an employee from harassment by a third party under certain circumstances.

Filing a complaint

To file a complaint alleging third party harassment under the Fair Employment and Housing Act, an employee should contact the Department of Fair Employment and Housing at 800-884-1684, and must file within one year of the occurrence of the alleged unlawful act. Information on the Department of Fair Employment and Housing is available on the web at www.dfeh.ca.gov.

Free Hazardous Materials Training

New standards for transporting hazardous materials are coming into effect. To enable Teamsters to comply, we offer free training:

- ◎ 4-hour DOT (HAZMAT) Hazardous Materials Awareness course and refresher
- ◎ 40-hour (HAZWOPER) Hazardous Waste Materials course
- ◎ 8-hour (HAZWOPER) Hazardous Waste Materials refresher

To sign up, please call Barbara at 415-344-0085



TAP NEWS

Answers to your questions about DOT specimen collections

Since December, 2003, TAP has received many questions from CDL holders and business agents about the issue of urine specimen collection for DOT drug tests. Here is some guidance from the Department of Transportation in response to questions regarding §40.25 Specimen Collection Procedures:

Question: Under what circumstances are observed urine specimen collections mandatory, and when is observation an optional choice of the employer?

Guidance: Direct-observation collection is mandatory only when the collector observes behavior clearly indicating an attempt to tamper or when the specimen temperature is outside the normal range and an oral body temperature reading is refused or inconsistent with specimen temperature.

The collector must inform the employer who would review the circumstances for compliance with Part 40 requirements, and finding such, would approve the observed collection. The collector--same gender as employee--would immediately conduct the observed collection.

The employer has the discretion to require direct-observation collection for return-to-duty, follow-up tests, and when specific gravity and creatinine content of the previous sample are below regulatory standards.

Question: In a "shy bladder" situation, if the physician conducting the medical examination is not the MRO, may that physician report his/her conclusions directly to the employer? Also, if a company has a corporate or contract physician, may that physician perform the examination?

Guidance: The rule does not preclude the MRO from performing this medical evaluation if the MRO has the expertise. The MRO must review the results of the medical evaluation. The MRO may have additional information on the circumstances surrounding the attempt to provide the urine specimen, other pertinent information regarding this or other collections.

If a company has a physician on the staff or has a contract physician, this individual may perform the medical examination if he/she has the required expertise. However, the requirement still exists to submit the findings of the evaluation to the MRO.

Question: In a "shy bladder" scenario, may an employer require an individual to provide a specimen within three hours, and if the individual doesn't provide a specimen, is the inability considered to be a refusal?

Guidance: The individual must provide the spec-

imen within three hours. Inability to provide does not automatically mean refusal. It will be considered a refusal unless a medical evaluation determines there is a legitimate medical reason for the individual's inability to provide a sufficient specimen. A refusal has the same sanctions under the DOT rule as a positive test.

Question: May donors be required to remove all clothing, wear a hospital gown, or empty pockets?

Guidance: Unless a urine specimen is being collected as part of a DOT-required physical examination (i.e., §391.43 Medical examination; certificate of physical examination) "the collector may require the removal of only outer garments such as a coat or jacket that might conceal items or substances that could be used to tamper with or adulterate the specimen. *The individual may retain his or her wallet.*" (Emphasis added.)

Requiring donors to empty their pockets is also prohibited unless the collector notices an unusual indicator that an individual may attempt to tamper with or adulterate a specimen as evidenced by a bulging or overstuffed pocket.